

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MARK J. DUNHAM,	:	NO. 1:10-CV-00762
	:	
Plaintiff,	:	
v.	:	OPINION & ORDER
	:	
	:	
VILLAGE OF WINCHESTER,	:	
et al.	:	
Defendants.	:	

This matter is before the Court on Defendants' Joint Motion for Partial Summary Judgment (doc. 23) and Plaintiff's response thereto (doc. 24).

In brief, Plaintiff's complaint included allegations that Defendants violated the federal Fair Labor Standards Act ("FLSA") and Ohio's Minimum Fair Wage Act by failing to pay Plaintiff overtime; that Defendants committed intentional infliction of emotional distress by, inter alia, threatening Plaintiff's employment; that Defendants defamed Plaintiff's character; that Defendants committed negligent infliction of emotional distress; that Defendants breached a contract with Plaintiff; and that Defendants committed the tort of false light by publishing false statements about Plaintiff (doc. 1). Defendants move the Court for summary judgment on Plaintiff's FLSA claim, arguing that there is no genuine issue of material fact as to that claim. In response, Plaintiff concedes the issue and asks the Court to decline to exercise supplemental

jurisdiction over the remaining state-law claims.

Having reviewed this matter, the Court finds that Defendants are entitled to summary judgment on Plaintiff's FLSA claim and therefore GRANTS their motion (doc. 23). Having found that summary judgment is appropriate on Plaintiff's lone federal claim, the Court declines to accept supplemental jurisdiction of Plaintiff's state law claims and dismisses them without prejudice. See 28 U.S.C. §1367(c); Brandenburg v. Housing Auth. of Irvine, 253 F.3d 891, 900 (6th Cir. 2001). This matter is therefore closed on the Court's docket.

SO ORDERED.

Dated: October 9, 2012

/s/ S. Arthur Spiegel

S. Arthur Spiegel

United States Senior District
Judge